

RECEIVED
CENTRAL FAX CENTER

SEP 28 2006

TOTAL PETROCHEMICALS

Legal Department
1201 Louisiana, Suite 1800
PO Box 674411
Houston, TX 77002

X
CO
LL

To:	United States Patent and Trademark Office Commissioner for Patents	From:	Shirley A. Kopecky
Fax:	571-273-8300	Phone:	713-483-5386
Pages:	1 Including cover sheet	Fax:	713-483-5384/281-884-0623
Phone:		Date:	9/28/2006
Re:	Attorney Docket: COS-890	CC:	

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

Customer No: 25264

In re Application of: Jim Butler et al.
Serial No.: 10/749,259
Confirmation No.: 8566
Filed: December 31, 2003
For: USING EXCESS LEVELS OF
METAL SALTS TO IMPROVE
PROPERTIES WHEN
INCORPORATING POLYMERS
IN ASPHALT

§ Examiner: Peter Mulcahy
§
§
§
§ Group Art Unit: 1713
§
§
§
§ Attorney Docket No. COS-890
§
§
§

See attached:

1. Notice Of Appeal From The Patent Examiner To The Board Of Patent Appeals And Interferences; and
2. Transmittal Letter and Fee Authorization.

THIS FACSIMILE TRANSMISSION MAY CONTAIN INFORMATION WHICH IS PRIVILEGED, OR OTHERWISE CONFIDENTIAL. IF YOU ARE NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISCLOSURE, USE OR DISSEMINATION OF THIS INFORMATION IS IMPROPER AND PROHIBITED. IF YOU HAVE RECEIVED THIS TRANSMISSION IN ERROR, KINDLY CALL THE SENDER TO ARRANGE FOR ITS RETURN.

Attorney Docket No. COS-890
Customer No: 25264

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Jim Butler et al.

§ Examiner: Peter Mulcahy

Serial No.: 10/749,259

§
§
§

Confirmation No.: 8566

§ Group Art Unit: 1713

§
§
§

Filed: December 31, 2003

For: USING EXCESS LEVELS OF
METAL SALTS TO IMPROVE
PROPERTIES WHEN
INCORPORATING POLYMERS
IN ASPHALT

§ Attorney Docket No. COS-890

§
§
§

RECEIVED
CENTRAL FAX CENTER

SEP 28 2006

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Honorable Commissioner:

CERTIFICATE OF FACSIMILE 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office to the designated fax 571-273-8300, to the attention: Mail Stop AF, Commissioner for Patents, on the date below.

September 28, 2006
Date

Shirley A. Kopecky
Signature

TRANSMITTAL LETTER AND FEE AUTHORIZATION

In connection with the above-identified application, Applicants respectfully submit the following:

1. Notice Of Appeal From The Patent Examiner To The Board Of Patent Appeals And Interferences; and
2. Transmittal Letter and Fee Authorization.

The Commissioner is hereby authorized to charge the required fee of \$500.00 and any additional fees that may be required for this submission, or to credit any overpayments to Deposit Account No. 03-3345.

Dated

September 28, 2006

Respectfully submitted,

Shirley A. Kopecky
Shirley A. Kopecky
Registration No. 48,460
FINA TECHNOLOGY, INC.
P.O. Box 674412
Houston, Texas, 77267-4412
Telephone: 713-483-5386
Facsimile: 713-483-5384
Attorney for Applicant(s)

Docket No. COS-890

Customer No: 25264

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Jim Butler et al.

Serial No.: 10/749,259

Confirmation No.: 8566

Filed: December 31, 2003

For: USING EXCESS LEVELS OF
METAL SALTS TO IMPROVE
PROPERTIES WHEN
INCORPORATING POLYMERS
IN ASPHALT

§ Examiner: Peter Mulcahy

§

§

§

§

§

§

§

§

§

§

§

Group Art Unit: 1713

Attorney Docket No. COS-890

RECEIVED
CENTRAL FAX CENTER
SEP 28 2006MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF FACSIMILE 37 CFR 1.8

I hereby certify that this correspondence is being facsimile
transmitted to the Patent and Trademark Office to the designated
fax 571-273-8300, to the attention: Mail Stop AF, Commissioner
for Patents.

Shirley Kopeckv

September 28, 2006

NOTICE OF APPEAL FROM THE PATENT EXAMINER TO THE BOARD OF
PATENT APPEALS AND INTERFERENCES

The Applicants hereby appeal to the Board from the decision of the Patent Examiner mailed June 28, 2006, finally rejecting Claims 1-3, 5-20, 23-24, 26, 28, 30-32, 35-37, 39-47, and 49-50, and the subsequent Advisory Action dated September 8, 2006. This application is not on behalf of a small entity. Pursuant to 37 CFR 1.17(e) the fee for filing the Notice of Appeal is \$500.00

The Commissioner is hereby authorized to charge the fee of \$500.00 or any additional fees which may be required or credit any overpayment to Deposit Account No. 03-3345.

10/02/2006 TL0111 00000017 033345 10749259

01 FC:1401 500.00 DA

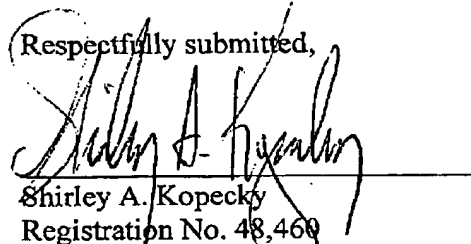
Docket No. COS-890

Customer No: 25264

Dated

September 28, 2006

Respectfully submitted,



Shirley A. Kopecky

Registration No. 48,460

FINA TECHNOLOGY, INC.

P.O. Box 674412

Houston, Texas, 77267-4412

Telephone: 713-483-5386

Facsimile: 713-483-5384

Attorney for Applicants